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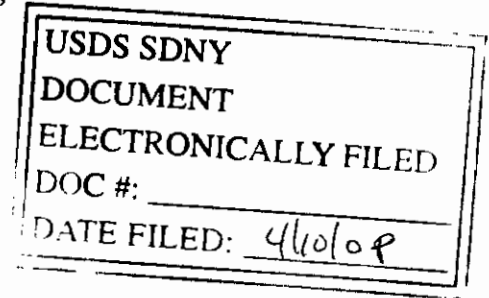
MEMO ENDORSED

CHRISTOPHER P. PARNAGIAN  
ROBERT A. O'HARE JR.

April 8, 2008

By E-mail ([eileen\\_levine@nysd.uscourts.gov](mailto:eileen_levine@nysd.uscourts.gov))

Honorable Richard J. Sullivan  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 615  
New York, NY 10007



Re: *Birks & Mayors Inc. v. L.J. West Diamonds, Inc.*  
No. 07-cv-6688 (RJS)

Dear Judge Sullivan:

We are attorneys for plaintiff Birks & Mayors Inc. in the above-referenced action. We write on behalf of counsel for both parties to request a 60-day adjournment of the end date for fact discovery to June 19, 2008, and a similar 60-day adjournment for the end of all discovery to July 21, 2008.

Currently, fact discovery is set to end on April 20, 2008, and all discovery (including experts) is set to end on May 20, 2008. To date, the parties have responded to document requests, exchanged documents, and plaintiff has responded to defendant's interrogatories and requests to admit. Plaintiff has conducted a deposition of a defense witness and two of plaintiff's witnesses are to be deposed next week. Several other depositions remain to be scheduled as well as a third-party deposition in Bloomfield, Michigan.

Copies of the original Case Management Plan and Scheduling Order and a proposed Amended Case Management Plan and Scheduling Order are attached.

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This is the parties' first request for an adjournment.

Respectfully, on behalf of both parties,

Robert A. O'Hare Jr.

cc: Nicholas P. Otis, Esq. (via e-mail w/attachments)

The parties' request to extend discovery for 60 days is Denied. The parties may renew their request but must include a detailed explanation as to why they have been unable to complete discovery in a timely fashion and why an additional 60 days are necessary.

RECORDED  
DATE: 4/9/08  
RICHARD J. SULLIVAN  
U.S.D.J.